GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants–Panchayat Raj& Rural Development- Sri M.Rajasekhar, the then Mandal Parishad Development Officer, Buttaiahgudem Mandal, West Godavari District - ACB Trap on 28.06.2005 – Departmental Action Initiated- Orders of the Hon'ble High Court in W.P.23846/2021 dt:15.12.2022 filed by Sri M. Rajasekhar, Mandal Parishad Development Officer - Implemented– Orders –Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No.353 **Dated:10.06.2023**

Read the following:-

1. From the Director General, Anti- Corruption Bureau, Andhra Pradesh, Hyderabad, Final Report Lr.C.No.126/RCT-EWG/2005-S13d, Dated: 20.02.2006.
2. Govt. Memo No.12553/Vig.IV/A1/2005-2, dt:9.05.2006
3. CPR Memo No.11259/CPR/E2.Vig/2005, Datedt:20.07.2006.
4. CPR Memo No.11259/CPR&RE/E3.Vig/2005, Dated:13.12.2011.
5. Govt Memo No. PRR01-PR0PVIG(ACB)/7/2022-VIG-III (1783055), Dated:. 4.5.2015, 24.1.2018, 5/2019 and 05.08.2022
6. Orders of the Hon'ble High Court in W.P.No.23846/2021, dt.15.12.2022.

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ORDER:-

Whereas, Sri M.Rajasekhar, the then Mandal Parishad Development Officer, Buttaiahgudem Mandal, West Godavari District, was trapped by the ACB on 28.06.2005 at his own residence when he demanded and accepted bribe of Rs.8,000/-for showing an official favour for sending Last Pay Certificate and Service Register of the complainant to the MPDO T.Narasapuram Mandal, West Godavari District to which place the complainant was transferred.

2. Government after careful examination of the final report of the Director General, ACB, the matter has been entrusted for Departmental inquiry instead of Prosecution and ordered to initiate Departmental action against the Accused Officer vide reference 2nd read above.

3. And whereas, in the reference 3rd read above, the Commissioner, PR&RE has initiated Departmental action by framing Article of Charges against the Accused officer Sri M.Rajasekhar, the then Mandal Parishad Development Officer, Buttaiahgudem Mandal, West Godavari District. Subsequently, the CPR has appointed the Inquiry Officer (Dy.CEO, ZP) and Presenting Officer vide his proceedings Dt. 22.3.2007 in this case to inquire into the charges framed against the Charged Officer. Further, the Chief Executive Officer, Zilla Parishad, was appointed as Inquiring Authority, vide Commissioner, Panchayat Raj procdgs. dt.13.12.2011. The inquiry in this case is still pending.

4. In the reference 6th read above, Sri M.Rajasekhar, the then Mandal Parishad Development Officer, Buttaiahgudem Mandal, West Godavari District, has approached the Hon'ble High Court and filed W.P.No.23846/2021 with a prayer to set aside the Charge Memo No 11259/CPR/E2-Vig/2005 dated:20/07/2006, of the Commissioner, PR&RD and to release the all consequential benefits due to him. The Hon'ble High Court in its orders in W.P.No.23846/2021, dt.15.12.2022 while allowing the Writ Petition has disposed the case on the inordinate delay took place in finalizing the disciplinary case against the Petitioner with the following order:

(Contd.2)

"In view of the same, for the reasons alike in the aforesaid order, this Writ Petition is also allowed in terms of the order dated:05.07.2022 passed by this Court in Writ Petition No.21768 of 2021. There shall be no order as to costs."

5. **And where as the** Hon'ble High Court in W.P.No.21768 of 2021, Dated: 5.07.2022 has ordered as follows:

"Following the decision cited supra, this Court inclined to allow the writ petition, while declaring the proceedings vide G.O.Rt.No.1079, dated 27.11.2014 on the file of 1st respondent as illegal, arbitrary and further directing the respondents to release all consequential benefits to the petitioner within a period of six (06) weeks from the date of receipt of a copy of this order. With the above direction, the writ petition is allowed."

6. Government after careful examination of the matter have decided to implement the above orders of the Hon'ble High Court and accordingly hereby direct the Commissioner, PR&RD to implement the orders of the Hon'ble High Court dated:15.12.2022 in WP.No.23846/2021 filed by Sri M.Rajasekhar, the then Mandal Parishad Development Officer, Buttaiahgudem Mandal, West Godavari District.

7. The Commissioner Panchayat Raj & Rural Development, A.P shall take necessary further action in the matter accordingly and report compliance to the Government immediately.

(BY ORDERS AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner, Panchayat Raj & Rural Development, A.P.
Tadepalli, Guntur District.
Sri M.Rajasekhar, Mandal Parishad Development Officer **through the**
Commissioner, Panchayat Raj & Rural Development, A.P.
Copy to:
The Director General, ACB, AP, Vijayawada
The Secretary to APVC, Velagapudi
The Accountant General, AP, Vijayawada.
The Pay and Accounts Officer, Mangalagiri, Guntur.
The Director of Treasuries & Accounts, Mangalagiri, Guntur
The District Treasury officer, West Godavari District.
SF/SC

//FORWARDED BY ORDER //

SECTION OFFICER